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Attorneys for Plaintiff,
FELICIA POWE-FLORES

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

FELICIA POWE-FLORES,

Plaintiff,

v.

KAISER FOUNDATION HOSPITAL, RYAN
THOMAS, and DOES 1-50, inclusive

Defendants.

Case No.: C 08-02527 TEH

**STIPULATION FOR VOLUNTARY
DISMISSAL WITH PREJUDICE**

[FRCP 41(A)(1)(a)]

Trial Date: September 29, 2009

Plaintiff Felicia Powe-Flores respectfully seeks to voluntarily dismiss this case with prejudice under Federal Rule of Civil Procedure 41(A)(1)(a)(i) and (ii) prior to Ryan Thomas's appearing in this matter, and, by stipulation with Kaiser Foundation Hospitals.

Recitals

1. Plaintiff Felicia Powe-Flores filed her complaint against Kaiser Foundation Hospitals ("Kaiser"), Ryan Thomas, and Does 1-50 in state court, which Kaiser removed to federal court. Powe-Flores subsequently amended her complaint with this Court's permission.

2. Defendant Ryan Thomas was served twice but has not appeared in this action.

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3. The Court ordered the parties to participate in an alternative dispute resolution process on or before January 30, 2009.

4. Powe-Flores and Kaiser participated in a day-long mediation session before a mutually agreed-upon mediator on December 8, 2008. During the month of December, they negotiated the terms of an agreement to memorialize their confidential settlement.

5. Powe-Flores now voluntarily dismisses the case with prejudice as permitted under FRCP 41a(1)(A)(i) as to Ryan Thomas (who has not appeared) and, FRCP 41a(1)(A)(ii) as to Kaiser (by stipulation).

This stipulation is respectfully submitted by Powe-Flores and Kaiser through their attorneys of record.

DATED: January 13, 2009

NIXON, PEABODY LLP

By: /s/ Deborah R. Schwartz
DEBORAH R. SCHWARTZ
Attorney for Defendant KAISER
FOUNDATION HOSPITALS

DATED: January 5, 2009

SCOTT LAW FIRM

By: /s/ Lizabeth N. de Vries
LIZABETH N. DE VRIES
Attorney for Plaintiff
FELICIA POWE-FLORES

